

**THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE:) CHAPTER 13
) CASE NO: 19-50042
Jeffrey William Yaeger)
) ALAN M. KOSCHIK
) BANKRUPTCY JUDGE
DEBTOR(S))
) TRUSTEE'S MOTION TO DISMISS AS 341
) FIRST MEETING OF CREDITORS CANNOT
) BE CONCLUDED AND 30 DAY OBJECTION
) PERIOD

Now comes Keith L. Rucinski, the Chapter 13 Trustee, and hereby moves this Court for an order of dismissal pursuant to 11 USC § 1307 (c)(1) and Rule 4002. The Debtor(s) failure to timely supply necessary information has hindered the Trustee's ability to administer the case and has caused unnecessary delay by the Debtor(s) which is prejudicial to creditors as the Debtor(s) is enjoying the automatic stay provided by 11 USC § 362 while hindering repayment to creditors by failing to provide necessary information to conclude the 341 meeting. Until the 341 meeting is concluded the Trustee cannot recommend the case for confirmation. Creditors cannot be paid until the case is confirmed by the Court.

On **01/09/2019**, the above named Debtor(s) filed a petition for relief under Chapter 13 of the bankruptcy code.

The original date for the First Meeting of Creditors was **02/21/2019**, and has been adjourned several times because the Debtor(s) and attorney for the Debtor(s) have failed to supply the Trustee with certain required information. The Debtor(s) and attorney for the Debtor(s) were instructed to provide the following information to the Trustee.

<u> X </u> Tax Returns	<u> </u> Proof of auto insurance
<u> </u> Financial Statements	<u> </u> Proof of homeowners insurance
<u> </u> Chapter 13 Payment	<u> X </u> See Below for issues regarding Chapter 13 Plan
<u> </u> Pay stubs	

- NEED 2018 TAX RETURNS
- NEED BANK STATEMENTS FROM LOCAL 55 CREDIT UNION ACCOUNT
- NEED AUTO AND HOME INSURANCE
**- NEED TO REMOVE \$930.00 DOMESTIC SUPPORT AND LIST ALL DEDUCTIONS
SEPARATE ON SCHEDULE I**
- PLEAN IS NOT FEASIBLE DUE TO IRS CLAIM

WHEREFORE, the Chapter 13 Trustee hereby moves this Court for an order of dismissal of the above Chapter 13 case for all the reasons stated herein.

NOTICE

Pursuant to 11 USC § 102, unless a party in interest requests a hearing on this pleading, the Court may grant the relief requested without a hearing or further notice.

CHAPTER 13
Keith L. Rucinski
Trustee
One Cascade Plaza,
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Akron, OH 44308
(330)762-6335
Fax
(330)762-7072

Parties that want to be heard on this matter must file a response to this pleading within 30 days from the date in the below certificate of service.

The response must be filed with the US Bankruptcy Court at:

**US Bankruptcy Court
2 South Main Street
455 John F. Seiberling Federal Building
Akron, Ohio 44308-1810**

In addition to filing a response with the Court, parties requesting a hearing must serve all parties in the below certificate of service either through the mailing address provided or, where applicable, by the Court's Electronic Filing System (ECF).

Respectfully submitted,

/s/ Keith L. Rucinski

Keith L. Rucinski, Chapter 13 Trustee
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CERTIFICATE OF SERVICE

I hereby certify that on 04/12/2019, the following were served a copy of this pleading:

Via Regular Mail

Jeffrey William Yaeger
4615 Grafton Road
Brunswick, OH 44212

Via ECF

MARK H KNEVEL ESQ (mknevel@knevel.com)
Office of the US Trustee (ustpregion09.cl.ecf@usdoj.gov)
Keith L. Rucinski. Chapter 13 Trustee (krucinski@ch13akron.com)

Date of Service: 04/12/2019

By: T. Rowe
Office of the Chapter 13 Trustee

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